

## Article - General Provisions

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§5–839.

- (a) (1) The Ethics Commission or any other aggrieved person may:
    - (i) file a petition for injunctive or other relief in the Circuit Court for Prince George’s County to require compliance with this part; and
    - (ii) assert as error any violation of this part in judicial review requested under § 22–407 of the Land Use Article.
  - (2) The Court shall issue an order voiding an official action taken by the County Council if:
    - (i) the action taken by the County Council was in violation of this part; and
    - (ii) the legal action was brought within 30 days after the occurrence of the official action.
  - (3) The Court, after hearing and considering all the circumstances in the case and voiding an action of the County Council, shall reverse, or reverse and remand, the case to the District Council for reconsideration.
- (b) (1) A person who knowingly and willfully violates this part is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 1 year or both.
- (2) If the person is a business entity and not a natural person, each officer and partner of the business entity who knowingly authorized or participated in the violation is guilty of a misdemeanor and on conviction is subject to the same penalties as the business entity.
  - (3) A member is guilty of violating this part only if the member fails to abstain from voting or participating in a proceeding, based on information contained in an affidavit filed with the County Council by an applicant or agent, in violation of § 5–835(b) of this subtitle.
  - (4) An action taken in reliance on an opinion of the Ethics Commission may not be deemed a knowing and willful violation.

(c) (1) A person who is subject to this part shall preserve all accounts, bills, receipts, books, papers, and other documents necessary to complete and substantiate any reports, statements, or records required to be made under this part for 3 years from the date of filing the application.

(2) The documents shall be available for inspection on request of the Ethics Commission after reasonable notice.

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